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Department of Water Resources

Muldoon Ranch Co.

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September 22, 2003

Mr. Tim Luke
Idaho Department of Water Resources
1301 North Orchard Street
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Over the last three years, I have been communicating with Cory Skinner in your Twin Falls, Idaho office regarding our water rights in Muldoon, Idaho. Last year Cory made a trip to the area and witnessed first hand the violation of the use of water rights from two ranchers. He wrote one of them a letter and that letter is attached.

We have witnessed even more violations this year and we have come to the conclusion that our neighbors Guy Peterson/Kathleen Donahue and Terry Clark will continue to violate our water rights. We went along Muldoon Creek at the Guy Petersons/Kathleen Donahue ranch on August 29, 2003 and were shocked at the water that was being taking. They were taking water from many places that they have no right and were even watering the Muldoon Association land that has no water rights. Terry Clark was also in violation by taking [by rough estimate] over 160 inches of water. Pictures are attached showing a few of the above-mentioned violations.

We have gone as far as we can and we have to protect our water rights by whatever means are available to us. Their violations of water rights have cost us at best estimate over \$200,000 during last two years.

Jim Peterson has been the water master and has not been effective. Jim is a nice person and is not paid enough to do anything and he does nothing. He is also a cousin to Guy Peterson and it appears that Guy intimidates him. We

spoke to him about the water violations [which he already knew] and he did not take appropriate action. I really believe that he did not know what to do.

We have talked to our legal council, Mr. Gary Slette in Twin Falls and he has been in contact with Cory Skinner. Our first recommendation is to require that everyone that takes water out of Muldoon Creek be required to have a head gate and weir at every place where water is taken, so that all water can be measured. If there is no head gate and weir then water cannot be taken. Secondly, we would hire a water master that will enforce water rights.

A warning was given to Guy Peterson & Kathleen Donahue last year by IDWR. There has been no follow up this year. Cory Skinner has been very helpful and the letter is addressed to you because of his recommendation. Before any action on our part, we ask for your suggestions and counsel. We cannot allow these violations to continue another year. We need to act immediately. Please Advise.



Arlen B. Crouch
Muldoon Ranch Co.

Cc: Allen Merritt
Cory Skinner